



United States
of America

Congressional Record

PROCEEDINGS AND DEBATES OF THE 107th CONGRESS, SECOND SESSION

Vol. 148

WASHINGTON, MONDAY, OCTOBER 21, 2002

No. 138

House of Representatives

The House met at 11 a.m. and was called to order by the Speaker pro tempore (Mr. YOUNG of Florida).

DESIGNATION OF THE SPEAKER PRO TEMPORE

The SPEAKER pro tempore laid before the House the following communication from the Speaker:

WASHINGTON, DC,

October 21, 2002.

I hereby appoint the Honorable C. W. BILL YOUNG to act as Speaker pro tempore on this day.

J. DENNIS HASTERT,

Speaker of the House of Representatives.

PRAYER

The Chaplain, the Reverend Daniel P. Coughlin, offered the following prayer: Eternal God, throughout the ages, You have revealed Yourself to Your people and sought to deepen living faith.

Again today we pray for peace. At the heart of a wounded world people and nations pray for peace in the Middle East.

May Members of Congress do all they can to end the violence and negotiate a just peace so that both Israeli and Palestinian children may have hope, reconciliation, and a future.

Under the cover of the media and amidst the din of religious misunderstanding, may America hear the cry of Palestinian Christians, the earliest

Christian community which is often overlooked and not heard in today's conflict. To these "the forgotten faithful" show Yourself as Saviour and the Source of human life and freedom.

With them we call upon Your Holy Name now and forever. Amen.

THE JOURNAL

The SPEAKER pro tempore. The Chair has examined the Journal of the last day's proceedings and announces to the House his approval thereof.

Pursuant to clause 1, rule I, the Journal stands approved.

PLEDGE OF ALLEGIANCE

The SPEAKER pro tempore. Will the gentleman from Texas (Mr. BENTSEN) come forward and lead the House in the Pledge of Allegiance.

Mr. BENTSEN led the Pledge of Allegiance as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Monahan, one of its clerks, announced that the Senate has passed with amendments in which the concurrence of the House is requested, bills of the House of the following titles:

H.R. 1070. An act to amend the Federal Water Pollution Control Act to authorize the

Administrator of the Environmental Protection Agency to carry out projects and conduct research for remediation of sediment contamination in areas of concern in the Great Lakes, and for other purposes.

H.R. 2546. An act to amend title 49, United States Code, to prohibit States from requiring a license or fee on account of the fact that a motor vehicle is providing interstate pre-arranged ground transportation service, and for other purposes.

H.R. 4878. An act to provide for estimates and reports of improper payments by Federal agencies.

The message also announced that the Senate has passed bills and concurrent resolutions of the following titles in which the concurrence of the House is requested:

S. 209. An act for the relief of Sung Jun Oh.

S. 453. An act for the relief of Denes and Gyorgyi Fulop.

S. 963. An act for the relief of Ana Esparza and Maria Munoz.

S. 969. An act to establish a Tick-Borne Disorders Advisory Committee, and for other purposes.

S. 1366. An act for the relief of Lindita Idrizi Heath.

S. 1468. An act for the relief of Ilko Vasilev Ivanov, Anelia Marinova Peneva, Marina Ilkova Ivanova, and Julia Ilkova Ivanova.

S. 1868. An act to amend the National Child Protection Act of 1993, and for other purposes.

S. 1950. An act for the relief of Richi James Lesley.

S. 1998. An act to amend the Higher Education Act of 1995 with respect to the qualifications of foreign schools.

NOTICE

Effective January 1, 2003, the subscription price of the Congressional Record will be \$434 per year or \$217 for six months. Individual issues may be purchased for \$6.00 per copy. Subscriptions in microfiche format will be \$141 per year with single copies priced at \$1.50. This price increase is necessary based upon the cost of printing and distribution.

Michael F. DiMario, *Public Printer*

☐ This symbol represents the time of day during the House proceedings, e.g., ☐ 1407 is 2:07 p.m.

Matter set in this typeface indicates words inserted or appended, rather than spoken, by a Member of the House on the floor.



Printed on recycled paper.

H8031

S. 2239. An act to amend the National Housing Act to simplify the downpayment requirements for FHA mortgage insurance for single family homebuyers.

S. 2527. An act to provide for health benefits coverage under chapter 89 of title 5, United States Code, for individuals enrolled in a plan administered by the Overseas Private Investment Corporation, and for other purposes.

S. 2530. An act to amend the Inspector General Act of 1978 (5 U.S.C. App.) to establish police powers for certain Inspector General agents engaged in official duties and provide an oversight mechanism for the exercise of those powers.

S. 2936. An act to amend chapter 84 of title 5, United States Code, to provide that certain Federal annuity computations are adjusted by 1 percentage point relating to periods of receiving disability payments, and for other purposes.

S. 3149. An act to provide authority for the Smithsonian Institution to use voluntary separation incentives for personnel flexibility, and for other purposes.

S. Con. Res. 142. Concurrent resolution expressing support for the goals and ideas of a day of tribute to all firefighters who have died in the line of duty and recognizing the important mission of the Fallen Firefighters Foundation in assisting family members to overcome the loss of their fallen heroes.

S. Con. Res. 148. Concurrent resolution recognizing the significance of bread in American history, culture, and daily diet.

That the Senate passed without amendment H.R. 4794;

That the Senate passed without amendment H.R. 4797;

That the Senate passed without amendment H.R. 4851;

That the Senate passed without amendment H.R. 5200;

That the Senate passed without amendment H.R. 5205;

That the Senate passed without amendment H.R. 5308;

That the Senate passed without amendment H.R. 5333;

That the Senate passed without amendment H.R. 5336;

That the Senate passed without amendment H.R. 5340;

That the Senate passed without amendment H.R. 5574;

That the Senate passed without amendment H.R. 5596;

That the Senate passed without amendment H.R. 5647;

That the Senate passed without amendment H.R. 5651;

That the Senate passed without amendment H.Con. Res. 406;

That the Senate passed without amendment H. Con. Res. 503;

That the Senate agreed to House amendment to S. 1533;

That the Senate agreed to House amendment to S. 2690.

With best wishes, I am

Sincerely,

GERASIMOS C. VANS,
Assistant to the Clerk of the House.

COMMUNICATION FROM THE CLERK OF THE HOUSE

The SPEAKER pro tempore laid before the House the following communication from the Clerk of the House of Representatives:

OFFICE OF THE CLERK,
HOUSE OF REPRESENTATIVES,
Washington, DC, October 18, 2002.

Hon. J. DENNIS HASTERT,
The Speaker, House of Representatives, Washington, DC.

DEAR MR. SPEAKER: Pursuant to the permission granted in Clause 2(h) of Rule II of the Rules of the U.S. House of Representatives, the Clerk received the following message from the Secretary of the Senate on October 18, 2002 at 12:01 p.m.

That the Senate passed without amendment H.R. 669;

That the Senate passed without amendment H.R. 670;

That the Senate passed without amendment H.R. 2245;

That the Senate passed without amendment H.R. 2733;

That the Senate passed without amendment H.R. 3034;

That the Senate passed without amendment H.R. 3656;

That the Senate passed without amendment H.R. 3738;

That the Senate passed without amendment H.R. 3739;

That the Senate passed without amendment H.R. 3740;

That the Senate passed without amendment H.R. 4013;

That the Senate passed without amendment H.R. 4014;

That the Senate passed without amendment H.R. 4102;

That the Senate passed without amendment H.R. 4685;

That the Senate passed without amendment H.R. 4717;

That the Senate passed without amendment H.R. 4755;

DIRECTING THE CLERK TO MAKE TECHNICAL CORRECTIONS IN EN- GROSSMENT OF H.R. 5603, SUS- PENDING TAX-EXEMPT STATUS OF DESIGNATED TERRORIST OR- GANIZATIONS

Mr. WOLF. Mr. Speaker, I ask unanimous consent that in the engrossment of the bill, H.R. 5603, the Clerk be directed to make the technical and substantive modifications that I have placed at the desk.

The SPEAKER pro tempore. The Clerk will report the technical corrections.

The Clerk read as follows:

H.R. 5603

Strike all after the enacting clause and insert the following:

SECTION 1. SUSPENSION OF TAX-EXEMPT STATUS OF DESIGNATED TERRORIST OR- GANIZATIONS.

(a) IN GENERAL.—Section 501 of the Internal Revenue Code of 1986 (relating to exemption from tax on corporations, certain trusts, etc.) is amended by redesignating subsection (p) as subsection (q) and by inserting after subsection (o) the following new subsection:

“(p) SUSPENSION OF TAX-EXEMPT STATUS OF DESIGNATED TERRORIST ORGANIZATIONS.—

“(1) IN GENERAL.—The exemption from tax under subsection (a) with respect to any organization shall be suspended during any period in which the organization is a designated terrorist organization.

“(2) DESIGNATED TERRORIST ORGANIZATION.—For purposes of this subsection, the term ‘designated terrorist organization’ means an organization which—

“(A) is designated as a terrorist organization in or pursuant to an Executive order or otherwise under the authority of—

“(i) section 212(a)(3) or 219 of the Immigration and Nationality Act,

“(ii) the International Emergency Economic Powers Act, or

“(iii) section 5 of the United Nations Participation Act, or

“(B) is designated in or pursuant to an Executive order or otherwise as supporting terrorist activity (as defined in section 212(a)(3)(B) of the Immigration and Nationality Act) or terrorism (as defined in section 140(d)(2) of the Foreign Relations Authorization Act, Fiscal Years 1988 and 1989).

“(3) DENIAL OF DEDUCTION.—No deduction shall be allowed under section 170, 545(b)(2), 556(b)(2), 642(c), 2055, 2106(a)(2), or 2522 for any contribution to an organization during the period such organization is a designated terrorist organization.

“(4) DENIAL OF ADMINISTRATIVE OR JUDICIAL CHALLENGE OF SUSPENSION OR DENIAL OF DEDUCTION.—Notwithstanding section 7428 or any other provision of law, no organization or other person may challenge a suspension under paragraph (1), a designation described in paragraph (2), or a denial of a deduction under paragraph (3) in any administrative or judicial proceeding relating to the Federal tax liability of such organization or other person.

“(5) ERRONEOUS DESIGNATION.—

“(A) IN GENERAL.—If a designation of an organization pursuant to 1 or more of the provisions of law described in paragraph (2) is determined to be erroneous pursuant to such law and the erroneous designation results in an overpayment of income tax for any taxable year with respect to such organization, credit or refund (with interest) with respect to such overpayment shall be made.

“(B) WAIVER OF LIMITATIONS.—If credit or refund of any overpayment of tax described in subparagraph (A) is prevented at any time before the close of the 1-year period beginning on the date of the determination of such credit or refund by the operation of any law or rule of law (including res judicata), such refund or credit may nevertheless be made or allowed if claim therefor is filed before the close of such period.”

(b) NOTICE OF SUSPENSIONS.—If the tax exemption of any organization is suspended under section 501(p) of the Internal Revenue Code of 1986 (as added by subsection (a)), the Internal Revenue Service shall update the listings of tax-exempt organizations and shall publish appropriate notice to taxpayers of such suspension and of the fact that contributions to such organization are not deductible during the period of such suspension.

(c) EFFECTIVE DATE.—The amendments made by this section shall take effect on the date of the enactment of this Act.

Mr. WOLF (during the reading). Mr. Speaker, I ask unanimous consent that the technical corrections be considered as read and printed in the RECORD.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

There was no objection.

The SPEAKER pro tempore. Is there objection to the original request of the gentleman from Virginia?

There was no objection.

ADJOURNMENT TO THURSDAY, OCTOBER 24, 2002

Mr. WOLF. Mr. Speaker, I ask unanimous consent that when the House adjourns today, it adjourn to meet at 11 a.m. on Thursday, October 24, 2002; and further, that when the House adjourns on October 24, 2002, it adjourn to meet at 11 a.m. on Monday, October 28, 2002.